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06                   UNITED STATES DISTRICT COURT  
07                   WESTERN DISTRICT OF WASHINGTON  
08                   AT SEATTLE

09       UNITED STATES OF AMERICA,                   ) CASE NO. CR06-251-RSM  
10    )  
11       Plaintiff,                                      )  
12    )  
13       v.    )  
14       CUONG MINN PARKER,                          )  
15    )  
16       Defendant.                                      )  
17    )  
18    )

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19       Offense charged:

20                   Conspiracy to Distribute Marijuana; Use of a Communication Facility to Facilitate a Drug

21       Offense

22       Date of Hearing:

23                   July 31, 2006

24                   The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
25                   based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
26                   that no condition or combination of conditions which defendant can meet will reasonably assure  
27                   the appearance of defendant as required and the safety of other persons and the community.

01           FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

02           (1)     Defendant has been indicted for a drug offense for which the maximum penalty is  
03     in excess of ten years. There is therefore a rebuttable presumption against defendant as to both  
04     dangerousness and flight risk, under 18 U.S.C. § 3142(e).

05           (2)     There are discrepancies in the record concerning defendant's current residence.  
06     He refuses to divulge his current residence address. He has an uneven employment history. His  
07     past criminal record includes a failure to appear for a court hearing. The criminal history includes  
08     charges for assault, reckless endangerment in the first degree, violations of supervision, burglary,  
09     assault with a deadly weapon, extortion, and unlawful possession of a firearm. The AUSA  
10     proffers that the defendant admitted to current activities involving weapons dealing.

11           (3)     Nothing in the record effectively rebuts the presumption of detention.

12           (4)     There does not appear to be any condition or combination of conditions that will  
13     reasonably assure the defendant's appearance at future Court hearings while addressing the danger  
14     to other persons or the community.

15 It is therefore ORDERED:

16           (1)     Defendant shall be detained pending trial and committed to the custody of the  
17                 Attorney General for confinement in a correction facility separate, to the extent  
18                 practicable, from persons awaiting or serving sentences or being held in custody  
19                 pending appeal;

20           (2)     Defendant shall be afforded reasonable opportunity for private consultation with  
21                 counsel;

22           (3)     On order of a court of the United States or on request of an attorney for the

Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

(4) The clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 31st day of July, 2006.

Mary Alice Theiler  
Mary Alice Theiler  
United States Magistrate Judge